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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/824,496	03/14/97	COOPER	

LM02/0316

EXAMINER

HARVEY, M

ART UNIT

PAPER NUMBER

2747

9  
03/16/00

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

<b>Office Action Summary</b>	Application No. <b>08/824,496</b>	Applicant(s) <b>COOPER</b>
	Examiner <b>Minsun Oh Harvey</b>	Group Art Unit <b>2747</b>

Responsive to communication(s) filed on Dec 16, 1999

This action is **FINAL**.

Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle* 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

#### Disposition of Claim

- Claim(s) 1-39 is/are pending in the application.  
 Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- Claim(s) \_\_\_\_\_ is/are allowed.
- Claim(s) 1-4, 6, 8-18, 20-23, 25, 27, 28, 30-37, and 39 is/are rejected.
- Claim(s) 5, 7, 19, 24, 26, 29, and 38 is/are objected to.
- Claims \_\_\_\_\_ are subject to restriction or election requirement.

#### Application Papers

- See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- The proposed drawing correction, filed on \_\_\_\_\_ is  approved  disapproved.
- The specification is objected to by the Examiner.
- The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. § 119

- Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- All  Some\*  None of the CERTIFIED copies of the priority documents have been received.
- received in Application No. (Series Code/Serial Number) \_\_\_\_\_.
- received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

- Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

#### Attachment(s)

- Notice of References Cited, PTO-892
- Information Disclosure Statement(s), PTO-1449, Paper No(s). 2
- Interview Summary, PTO-413
- Notice of Draftsperson's Patent Drawing Review, PTO-948
- Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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1. This is in response to the applicant's election of restriction requirement. The applicant has elected figure 2 and claims 1 to 39 in paper number 6.

2. Claims 8 to 17 and 28, 32 to 36 and 39 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. "Correlation circuit" which has been claimed in claims 8 to 17 , 28, 32 to 36 and 39 do not read on figure 2.

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1 to 4, 6, 19, 20 to 22, 23, 25, 27, 30, 31, 37 are rejected under 35 U.S.C. 102(b) as being anticipated by Kirby.

Regarding an apparatus claims, Kirby discloses a system for providing a mix minus signal (output of 34) from a feedback signal (14) and a talent signal (12) including in combination: a cancellation circuit (30) responsive to the talent signal to delay signal the talent signal in a variable delay (22) and to gain adjust the talent signal in delayed or undelayed form in a gain circuit (32) thereby providing a cancellation signal (output of 38), with the amount of the delay or gain

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responsive to adjustment; a combining circuit responsive to the feedback signal and the cancellation signal to provide the mix minus signal(output of 40); an amount of a gain is responsive to a mix minus signal (feedback loop from output 34).

Regarding method claims, Kirby discloses a method for providing a mix minus signal from a talent signal (12 of fig. 5) and a feedback signal (14) having a variable amount of delay (10, 21 and 22) including the step of delaying the talent signal (12) by a varying delay amount (22) in response to the variable amount of delay (10); providing a cancellation signal of a known level in response to the delayed talent signal (output of 38); changing the varying delay amount of the delay in step a) from time to time (page 4, lines 4 to 15); combining the feedback signal and the cancellation signal to provide the mix minus signal (40).

5. Claims 5, 7, 19, 24, 26, 29 and 38 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Umemoto discloses a system for providing a mix minus signal

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minsun Oh Harvey whose telephone number is (703) 308-6741.



MINSUN OH HARVEY  
PRIMARY EXAMINER